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*MP*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

van Gemen et al.

**Serial No.:** 10/006,009

**Filed:** December 4, 2001

**For:** TESTING ENDOSYMBIONT  
CELLULAR ORGANELLES AND  
COMPOUNDS IDENTIFIABLE  
THEREWITH

**Examiner:** Unknown

**Group Art Unit:** 1645

**Attorney Docket No.:** 5189US

CERTIFICATE OF MAILING

I hereby certify that this paper or fee along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail (under 37 C.F.R. § 1.8(a)) on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

3-8-02  
Date of Deposit

*Lynette Eliason*  
Signature of registered practitioner or other person having reasonable basis to expect mailing to occur on date of deposit shown pursuant to 37 C.F.R. § 1.8(a)(1)(ii)

Lynette Eliason  
Typed printed name of person whose signature is contained above

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

Attention: Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a copy of the Notice to File Missing Parts of Nonprovisional Application, along with the following required items in connection with the above-referenced application: Declaration and Power of Attorney Patent Application (Design or Utility). This document is being filed within two (2) months from the mailing date of the Notice to File Missing Parts.

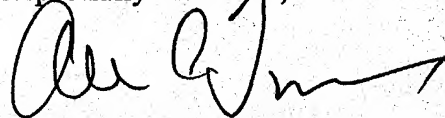
Serial No.: 10/006,009

Also attached as Appendix A is a substitute specification, which should be electronically reproducible. No new matter has been added to the specification. Minor typographical errors have been corrected, therefore, a marked-up version of the specification has been attached as Appendix B.

The drawings have been objected to as not being electronically reproducible. Substitute drawings are being submitted as Appendix C.

A check in the amount of \$130.00 is enclosed in payment of all required fees. If the amount of the check is insufficient, please debit Deposit Account No. 20-1469 for the remainder of the fee. If the amount is in excess of that required, please credit that deposit account.

Respectfully submitted,



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Attorney for Applicants  
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Date: March 8, 2002

ACT/bv

Enclosures:

Copy of Notice to File Missing Parts of Application  
Declaration and Power of Attorney Patent Application (Design or Utility)  
Check No. \_\_\_\_\_ in the amount of \$130.00  
Substitute Specification as Appendix A and B  
Substitute Drawings as Appendix C

10006009.032002



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Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

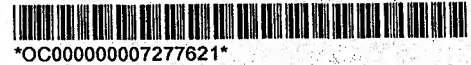
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/006,009	12/04/2001	Bob van Gemen	5189US

24247  
TRASK BRITT  
P.O. BOX 2550  
SALT LAKE CITY, UT 84110

CONFIRMATION NO. 7686

FORMALITIES LETTER



\*OC000000007277621\*

Date Mailed: 01/08/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/22/2002 BABRAHA1 00000083 10006009

FILED UNDER 37 CFR 1.53(b)

01 FC:105

130.00 DP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

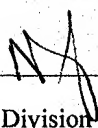
- A substitute specification in compliance with 37 CFR 1.52 because:
  - The specification cannot be scanned or properly stored. Page(s)
    - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages **42** are not in compliance with 37 CFR 1.52(a). *The drawings filed are unacceptable because:  
Replacement page(s), together with a statement that the*

replacement page(s) contain no new matter, are required.

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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